
Minutes
Regular Meeting
September 25, 2013

Present: Mayor Kenneth F. Neilson, Councilmen Bill Hudson, Thad Seegmiller, Kress Staheli, Ronald Truman, Jeff Turek, City Recorder Danice Bulloch, Public Works Director Mike Shaw, Community Development Director Drew Ellerman Audience: Brandee Walker, Riley Richardson, William Riesbeck, Aaron Langston, Daylene Ure, Roger Bundy, Heath Snow, Craig Hopkinson, Sherrie Reeder, G. L. Bowers, Brock Andrus, Dixie Andrus, Dustin Halterman, Walter Plumb, Jack Kincaid, Jeff Veregge

Invocation: Councilman Truman

Pledge of Allegiance: Councilman Turek

Mayor Neilson has asked that Councilman Thad Seegmiller and City Manager Roger Carter be excused from the meeting.

Mayor Neilson asked that he be excused at 6:30 for a previous commitment.

1. APPROVAL OF THE AGENDA

Councilman Hudson made a motion to approve the agenda. Councilman Truman seconded the motion; which passed with the following roll call vote:

<i>Councilman Hudson</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

2. ANNOUNCEMENTS

Washington City Night will be held on October 7th at 5:00 P.M. The event will be at the Community Center with each department having a booth for citizens to come and visit and see what is taking place within our City.

3. DECLARATION OF ABSTENTIONS & CONFLICTS

None

4. CONSENT AGENDA

APPROVAL OF MINUTES: Consideration to approve the minutes from the City Council Meetings of 8/27/13, 8/28/13 and 9/11/13.

BOARD AUDIT REPORT: Consideration to approve the Board Audit Report for the month of August.

Councilman Staheli made a motion to approve the consent agenda. Councilman Turek seconded the motion; which passed with the following roll call vote:

<i>Councilman Hudson</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

5. PRELIMINARY & AMENDED FINAL PLATS

A. Consideration to approve the Preliminary Plat for Village 2 at Stucki Farms, located at approximately 4800 S Washington Fields Road. Applicant: Karl Larson

Community Development Director Drew Ellerman:

The applicant is requesting approval of a preliminary plat for the Village 2 at Stucki Farms subdivision, located at approximately 4800 South Washington Fields Road. The applicant is wishing to develop 65 lots on an area covering 18.9 acres. The location of this particular project is zoned Planned Community Development (PCD).

The proposed subdivision conforms to the approved PCD. The request meets the subdivision requirements and other city ordinances as it relates to this location. Staff has reviewed the request and recommends approval, with conditions, of the preliminary plat as outlined.

The Planning Commission unanimously recommended approval of the Preliminary plat for the Village 2 at Stucki Farms subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The preliminary plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the preliminary plat conforms to the PCD Zoning approval and the Subdivision Ordinance as conditioned.

Conditions

1. A final drainage study and grading and drainage plan shall be submitted for review and approval prior to moving dirt. Development of the site shall comply with the recommendations of the geotechnical study and drainage study, and improvements for drainage and detention shall be approved by the Public Works Department.
2. A final geotechnical study shall be submitted to the City for review and approval prior to submitting the final plat. All recommendations of the geotechnical study shall be adhered to.

3. Construction drawings for the subdivision and its infrastructure shall be submitted to the City for review and approval prior to the submittal for final plat.
4. The construction drawings shall adequately address prevention of nuisance storm water drainage across lots. If retaining walls are utilized to prevent cross-lot drainage, the developer shall be responsible for installing said retaining walls.
5. At the time of final plat submittal, the following documents shall also be submitted:
 - A. A title report.
 - B. A copy of any deed restrictions, other restrictions, restrictive covenants, architectural controls, or other requirements that may apply to the development (CC&Rs).
6. All detention areas shall be landscaped and all detention and landscaped areas shall be maintained by the property owners and/or homeowners association. A note shall be placed on the plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain the detention and landscaped areas.
7. A final landscaped plan and fencing plan shall be submitted for review and approval prior to the submittal of the final plat. Landscaping and fencing shall be installed prior to the occupancy of the buildings that will be constructed along the landscaped and fenced areas.
8. All landscaping, walls and other structures shall meet sight distance requirements. A note shall be placed on the final plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain sight distance requirements.
9. Driveway locations are to be approved by the Public Works Department.
10. Any proposed blasting for the development of the subdivision requires the submittal of a blasting plan with the construction drawings and issuance of a blasting permit.
11. The access point onto Stucki Farms Parkway will have to be right turn in and right turn out only. A raised median will be required to be installed on the Parkway road, due to the road size of 106 feet (plus). The developer has stated in an earlier approval of the subdivision to the north (WestLands at Stucki Farms) that an application would be coming forth requesting that Stucki Farms Parkway be changed to a smaller classified street size. No application has come forth, and until that change has been approved this condition will be required. When, and if that new classification is approved, then at that time, this condition be eliminated and no longer needed.

Councilman Hudson made a motion to approve the Preliminary Plat for Village 2 at Stucki Farms, located at approximately 4800 S Washington Fields Road with the findings and conditions of Staff and as recommended by the Planning Commission. Councilman Truman seconded the motion; which passed with the following roll call vote:

<i>Councilman Hudson</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Councilman Turek</i>	<i>Aye</i>

B. Consideration to approve the Preliminary Plat for Sugar Plumb in The Fields, located at approximately 1100 East 3650 South. Applicant: Walt Plumb

Community Development Director Drew Ellerman reviewed:
The applicant is requesting approval of a preliminary plat for the Sugar Plum in The Fields subdivision, located at approximately 1100 East 3650 South. The applicant is wishing to develop 174 lots on an area covering 56.09 acres. The location of this particular project is zoned Single-Family Residential - 8,000 square foot min. (R-1-8).

The request meets the zoning regulation requirements and the other city ordinances as it relates to this location. Staff has reviewed the request and recommends approval with conditions, of the preliminary plat as outlined.

The Planning Commission unanimously recommended approval of the Preliminary plat for the Sugar Plum in The Fields subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The preliminary plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the preliminary plat conforms to the Zoning Regulations and the Subdivision Ordinance as conditioned.

Conditions

1. A final drainage study and grading and drainage plan shall be submitted for review and approval prior to moving dirt. Development of the site shall comply with the recommendations of the geotechnical study and drainage study, and improvements for drainage and detention shall be approved by the Public Works Department.
2. A final geotechnical study shall be submitted to the City for review and approval prior to submitting the final plat. All recommendations of the geotechnical study shall be adhered to.
3. Construction drawings for the subdivision and its infrastructure shall be submitted to the City for review and approval prior to the submittal for final plat.
4. The construction drawings shall adequately address prevention of nuisance storm water drainage across lots. If retaining walls are utilized to prevent cross-lot drainage, the developer shall be responsible for installing said retaining walls.
5. At the time of final plat submittal, the following documents shall also be submitted:
 - A. A title report.
 - B. A copy of any deed restrictions, other restrictions, restrictive covenants, architectural controls, or other requirements that may apply to the development (CC&Rs).
6. All detention areas shall be landscaped and all detention and landscaped areas shall be maintained by the property owners and/or homeowners association. A note shall be placed on the plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain the detention and landscaped areas.
7. A final landscaped plan and fencing plan shall be submitted for review and approval prior to the submittal of the final plat. Landscaping and fencing shall be installed prior to the occupancy of the buildings that will be constructed along the landscaped and fenced areas.
8. All landscaping, walls and other structures shall meet sight distance requirements. A note shall be placed on the final plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain sight distance requirements.
9. Driveway locations are to be approved by the Public Works Department.
10. Any proposed blasting for the development of the subdivision requires the submittal of a blasting plan with the construction drawings and issuance of a blasting permit.
11. Lots 17 and ~~19~~ 18 are shown on property owned by the Canal Company where the principal spillway for the Gypsum Debris Basin is located. Special care needs to be taken with the

development of this area to allow the proposed northernmost roadway to perform the needed function of a spillway for the Debris basin.

12. A large channel/open space area will need to be provided in the vicinity of lot 6 to allow the potential spillway flows to exit the development and reach the 3650 South roadway.

13. Special consideration needs to be given to the pad grades adjacent to the northernmost roadway to allow the roadway to serve as a major drainage way

14. As much of the development as feasible needs to discharge north towards 3650 South.

15. A Post Construction Maintenance Agreement needs to be recorded prior to the Final Plat recordation.

Councilman Staheli asked for clarification on lots 17 and 19, which shows a portion of the lots are on property owned by the canal company. However, looking at the map he believes it is actually lots 16 and 17.

Brandee Walker stated the lots are actually 17 and 18.

Mr. Ellerman stated he would correct it in his conditions.

Councilman Truman stated he is concerned about the increase in traffic going toward the light at the Summit Athletic intersection. He asked if there was an anticipated completion on the Mall Bridge in St. George.

Mayor Neilson stated the bridge project has just went out to bid.

Councilman Hudson stated the anticipated completion is April of 2014.

Councilman Turek agreed it is a great point. The property adjacent to this subdivision is next to 3650 South, which is already an issue due to the amount of traffic on the underdeveloped road. We should probably be addressing the current situation.

Public Works Director Mike Shaw reviewed the plans for 3650 South. The construction drawings and traffic studies are submitted to his department after the preliminary plat is approval. Then staff will determine what improvements will need to take place in order to move forward with the development. However, he does agree, 3650 South is very narrow.

Councilman Staheli asked if it would be the same concept with Camino Real, which is the other access.

Mr. Shaw stated the road there is probably adequate for asphalt width, but the developer will need to do a full traffic impact study due to the number of lots.

City Attorney Starkey clarified the Mall Drive Bridge will be done by the end of April, but the entire project is estimated to be completed by the end of the summer.

Councilman Truman commented based on the discussion from the workshop meeting, he still has concerns about the transition in the lot sizes.

Councilman Staheli asked if there is an easement for the drainage along lot 6 as noted.

Mr. Shaw stated the primary spillway for the basin, which will go out onto the roads, and go to 3650 South.

Ms. Walker reviewed the drainage design for the proposed project.

Councilman Hudson asked if there is any concern about turning the drainage onto 3650 South without it being completely developed.

Mr. Shaw explained it is the natural drainage, and once the development and roads are complete 3650 South will carry the water in the curb and gutter.

Councilman Hudson made a motion to approve Sugar Plumb in The Fields, located at approximately 1100 East 3650 South with the findings and conditions of Staff and as recommended by the Planning Commission with the correction to condition 11 to stated lots 17 and 18. Councilman Turek seconded the motion; which passed with the following roll call vote:

<i>Councilman Hudson</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Nay</i>
<i>Councilman Turek</i>	<i>Aye</i>

C. Consideration to approve a Plat Amendment for The Villas at Sienna Hills 2nd Amendment located at 325 N. Red Stone Road. Applicant: Mark Hampton

Community Development Director Drew Ellerman reviewed:

The applicant is requesting approval of a second Amended Final plat for The Villas at Sienna Hills subdivision, located at approximately 325 North Red Stone Road. This particular second amendment request, is to return the project back to the original three-plex units, with a new developer as owner. Almost a year ago, the owner at that time, proposed to reduce the buildings from tri-plexes to twin townhomes. That particular owner never was able to go forward with that development and thus lost the project and it fell back into the banks hands.

So here we are, with a new owner and their proposal to change the project back to what the original approval was, which was tri-plexes totally 72 dwelling units within the entire subdivision. The uniqueness of this design is that these units will not be classified as condominiums, rather as townhomes with easements for use of the garage areas by one of the townhome owners who will own all three garages. That owner will (through recorded easements) allow use of one garage each to the adjoining property owners of the other two units within the tri-plex.

The Planning Commission unanimously recommended approval of the Second Amended Final Plat for The Villas at Sienna Hills subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The amended final plat meets the land use designation as outlined in the General Plan for the

proposed area.

2. That the amended final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.

Conditions

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. Where applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners", shall be changed to read as "Property Owners and/or Home Owners Association".
5. That a post maintenance agreement be recorded prior to the recording of the final plat.
6. The proposed tri-plex units will match the existing condominiums in exterior finish materials and color schemes.
7. There is a landscaped area (from the original approval) that will still need to be built out between buildings 13 and 14. This landscaped area will be required to match the existing landscape theme of the subdivision.

Councilman Turek stated he has some issues with the garage situation. He asked if the reason behind this is to keep the homes as townhomes.

Mr. Ellerman explained one of the reasons is so the building does not have to have sprinklers. As a townhome, sprinklers would not be a requirement. The second reason is to each have a garage ownership the units would have to be condominiums, which are very difficult to get a loan on. In fact, at the present time, condos are nearly impossible to obtain a mortgage. Staff has reviewed the project with legal counsel as this type of development has been done in other communities. Their legal counsel feels it can be done legally and effectively.

Councilman Turek stated he does feel there are issues on a project of this type without having a sprinkling system.

Mr. Elleman stated the units will have to be build according to the Uniform Building Code.

* Mayor Neilson excused himself from the meeting at 6:35 P.M.

Heath Snow reviewed the notes on the subdivision plat. He explained his client is attempting to have townhomes and not condos. He then explained the differences in the definitions of each and how the insurance would be affected by the garages being a an easement of use rather than ownership by the individual unit owners. In regard to the sports court, his clients do not have a preference with how it is being completed or just having the area landscaped. It seems the owners of the other units would prefer deleting this and just landscaping with a grass type landscape.

Councilman Truman clarified condominiums require sprinklers, and the garages would be owned by the individuals.

Mr. Snow stated in meeting with City Staff, the Fire Chief explained Washington City does not have the manpower to check and inspect each residential unit. He felt under the fire code it would be preferable for Washington City to build a townhome unit which eliminates the need of a sprinkler system, but there will be requirements for fire block, and other items in order to comply with the Uniform Fire code. He has trust in the Building Inspectors to make sure the necessary precautions are taken.

Councilman Staheli stated he is comfortable with the design of the building along with the insurance, which will be required for the property.

Jackson Cade stated he is the owner and occupant of one of the existing units. He would like to have the project finished. He would like an assurance that the ownership of the garages for the existing units will remain as they are since he is paying for it.

Councilman Hudson stated what was originally purchased will remain as is. This decision will not affect the previously sold units.

Councilman Hudson made a motion to approve a Plat Amendment for The Villas at Sienna Hills 2nd Amendment located at 325 N. Red Stone Road with the findings and conditions of Staff and as recommended by the Planning Commission. Councilman Truman seconded the motion; which passed with the following roll call vote:

<i>Councilman Hudson</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Mayor Pro-Tem Turek</i>	<i>Aye</i>

6. PUBLIC HEARINGS AND RELATED ORDINANCES

A. Public Hearing for the consideration to approve a Zone Change application Z-13-09, requesting to change the present zone from RA2 (Residential Agricultural) to R-1-6 (Single Family Residential 6,000 square foot lot minimum) zone, located at approximately 200 East 400 South. Applicant: Riley Richardson

Community Development Director Drew Ellerman reviewed:

The applicant is requesting approval to change the zoning of approximately 1.67 acres, located approximately at 200 East 400 South. The requested change is from the current zoning of Residential-Agricultural / Two acre min. (RA-2) to a proposed Single-family Residential - 6,000 square feet min. (R-1-6) zoning designation.

The General Plan Land Use Map designation for this location is Medium Density Residential (MD) which allows for zoning districts of R-1-6 and R-2. The surrounding zoning districts are R-1-6 to the south and west, Mobile Home to the north and PUD to the east.

The applicant is wishing to purchase and rezone this particular area to R-1-6 in hopes of developing the parcel into an eight lot minor subdivision. The parcel is currently vacant and a

weed patch that has been an eyesore for quite some time now.

Staff has reviewed the proposed zone change and finds it fitting with the General Plan designation for the area and feels the request would be very compatible for the area.

The Planning Commission unanimously recommended approval of Z-13-09, for the zone change request from Residential / Agricultural - Two acre min. (RA-2) to a new Single-family Residential - 6,000 square feet min. (R-1-6), to the City Council, based on the following findings:

Findings

1. That the requested zoning conforms to the intent of the land use designation of the General Plan.
2. That the requested zoning will be compatible with surrounding developments.
3. That the utilities that will be necessary for this type of development will be readily accessible to the site.

Councilman Staheli noted there was a large point of the discussion in the previous Planning Commission Meeting. He asked Drew to speak to Council with regard to the access to the development.

Mr. Ellerman reviewed the access points with the Council.

Councilman Staheli asked how many lots would be allowed in an R-1-6 zone.

Mr. Ellerman stated they would be able to get up to 8 homes.

Councilman Staheli asked if Staff is comfortable with allowing this many homes off of one access.

Mr. Ellerman explained they will have a private drive.

Councilman Staheli asked if 200 East is sufficient for a secondary access.

Mr. Shaw stated 200 East will remain as is and will be a gated access only for emergency access. The primary access will be from the private drive. He reviewed the location of the gate with Council with respect to the Dog Park.

Mr. Ellerman stated he cannot show the proposed subdivision as the application is for the zone change only.

Councilman Hudson stated he likes the straight zoning downtown. He would prefer to continue it in our downtown area.

Mr. Ellerman stated he agrees as the homes will be stand alone with private lots, and the entire

downtown area is R-1-6 Zone.

Mayor Pro-Tem Turek asked why there is not a public access to the development.

Mr. Shaw stated the curb, gutter and sidewalk is in place for the dog park, which is why the development was designed with a private drive. He is the one who suggested a private drive to the developer, and feels it would be the best solution for the development.

Gerald Bowers asked if there is any plan to do a wall around the development so the dog park is not affected.

Councilman Hudson stated there would be a wall around the subdivision once it is developed.

Bill Reisbeck stated there is a lot of traffic and noise by the dog park. He is happy there will be a gate so there will not be additional traffic. However, if the road is widened, then trailers will have to come out, and that is not fair. He asked if someone has approached Council to take out the mobile home park.

Mayor Pro-Tem Turek stated he has not been approached about taking out the mobile home park.

Councilman Hudson commented at the time, the developer is not looking to use 200 East as an access, and there is not a proposal to widen the road.

Mr. Shaw stated the mobile home park has encroached on to the right-of-way for 200 East. It is master planned as a 66 foot right-of-way.

No further comments made.

Councilman Hudson made a motion to close the public hearing. Councilman Truman seconded the motion; which passed with the following role call vote:

<i>Councilman Hudson</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Mayor Pro-Tem Turek</i>	<i>Aye</i>

B. Consideration to approve an Ordinance adopting Zone Change request Z-13-09 to change present zone from RA-2 to R-1-6 zone.

Councilman Truman made a motion to approve an Ordinance adopting Zone Change request Z-13-09 to change present zone from RA-2 to R-1-6. Councilman Hudson seconded the motion; which passed with the following role call vote:

<i>Councilman Hudson</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Mayor Pro-Tem Turek</i>	<i>Aye</i>

C. Public Hearing for the consideration to approve Zone Change Z-13-10, requesting to change the present zone from PUD (Planned Unit Development) to R-3 (Multiple-Family Residential) located at approximately 370 W. Buena Vista Blvd. Applicant: Tim Stewart, Somerset Homes

Community Development Director Drew Ellerman reviewed:

The applicant is requesting approval to change the zoning of approximately 16.56 acres, located approximately at 370 West Buena Vista Blvd.. The requested change is from the current zoning of Planned Unit Development (PUD) to a proposed Multiple-Family Residential (R-3) zoning designation.

The General Plan Land Use Map designation for this location is Medium-High Density Residential (MHD) which allows for density ratios of 7 to 12 dwelling units per acre. The dwelling unit ratio on this existing development is 11 dwelling units per acre. The surrounding zoning districts are PUD to the north and west, C-2 to the east and C-3 to the south.

The applicant is needing to rezone this particular area to the R-3 zoning designation to bring it into compliance with the city code. This existing project was once part of a larger development which included the single family homes to the north and west under an approved PUD. Since the original approval back in 2007, the project went into financial difficulties and was broken up through the foreclosure process. Due to that break up of the parcels, the required open space that was approved in the Millcreek gorge area to the west was given back to the original seller of the piece of property and is no longer a part of the overall development. In return, the PUD no longer has (or meets) the 30% open space requirement.

The new owner of the townhome project was informed by staff that a zone change would be necessary to bring his portion of the project into compliance. Luckily, the General Plan Land Use Designation on this parcel is already set for the needed density for this application. So, in essence, this application request is at the request of staff, to the property owner to bring this parcel into compliance with city code and switch it out of the PUD zoning designation for not having the necessary open space to meet the PUD standard.

The Planning Commission unanimously recommended approval of Z-13-10, for the zone change request from Planned Unit Development (PUD) to Multiple-Family Residential (R-3), to the City Council, based on the following findings:

Findings

1. That the requested zoning conforms to the intent of the land use designation of the General Plan.
2. That the requested zoning will be compatible with surrounding developments.
3. That the utilities that will be necessary for this type of development will be readily accessible

to the site.

Councilman Staheli asked if Millcreek Springs is approved as a PUD.

Mr. Ellerman confirmed he was corrected. The only portion being requested for the R-3 zone is the townhomes, the rest of the development would remain PUD.

City Attorney Starkey asked for clarification on the location.

Mr. Ellerman reviewed the location of the development with the Council.

No public comments were made.

Councilman Hudson made a motion to close the public hearing. Councilman Staheli seconded the motion; which passed with the following role call vote:

<i>Councilman Hudson</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Mayor Pro-Tem Turek</i>	<i>Aye</i>

D. Consideration to approve an Ordinance adopting Zone Change request Z-13-10 to change present zone from PUD to R-3 Zone.

Councilman Staheli made a motion to approve an Ordinance adopting Zone Change request Z-13-10 to change present zone from PUD to R-3. Councilman Hudson seconded the motion; which passed with the following role call vote:

<i>Councilman Hudson</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Mayor Pro-Tem Turek</i>	<i>Aye</i>

E. Public Hearing for consideration to approve General Plan Amendment G-13-07, by requesting to change Land Use Designation from VLD (Very Low Density) to LD (Low Density), located at approximately 1000 East 4100 South. Applicant: Walter Plumb

Community Development Director Drew Ellerman reviewed:

The applicant is seeking to amend the General Plan Land Use Map in the area located at approximately 1000 East 4100 South. The requested area covers 6.83 acres. The current Land Use designation is Very Low Density Residential (VLD). The applicant is seeking approval to have the Land Use designation changed to the Low Density Residential (LD) designation as outlined in the General Plan.

The applicant is wishing to amend this parcel, in hopes to add it into his project that borders on the north boundary. That particular project, was earlier this year approved for a general plan

amendment in the same manner as this request.

The Planning Commission unanimously recommended approval of G-13-07 to amend the General Plan Land Use Map as outlined above and shown on the exhibit attached hereto, to the City Council.

Councilman Hudson clarified the plan is to tie the two developments together in the area.

Mr. Ellerman stated the developer does plan to tie the projects together in requesting a General Plan Amendment.

Mayor Pro-Tem Turek clarified the location of the drainage on the map.

Councilman Staheli asked if the general plan amendment is approved, he would like to ask what zone the applicant would request.

Brandi Walker stated she is representing Walt Plumb. The applicant is trying to clean up the area, and get connectivity. It would be a similar zone to what the applicant has in the adjacent property. The applicant is going to request R-1-8 to avoid spot zoning, however, the outside lots on the property would be larger.

Walt Plumb stated he purchased the small 13 acre parcel in order to clean up the area. He feels it would be more appropriate to ask for the same zoning as the adjacent parcel of an R-1-8 zone. However, some of the lots would be larger.

Councilman Hudson asked how many lots are they envisioning for the area.

Ms. Walker stated there will be approximately 3.1 units per acre.

No public comments was made.

Councilman Truman stated he still has concerns with the smaller lot size.

Councilman Staheli stated he understands what the developer is trying to accomplish. However, he would like to ask how the developer would feel about doing to separate zonings on the lot.

Ms. Walker stated she understands the concept, however, it would be extremely difficult to have a hard line zone on the property because the zone would essentially be split on a road.

Councilman Staheli asked if we can expect to see larger lots toward the east in the foothills.

Mr. Plumb stated the development has not been designed. They are more so looking to expect not to have more than a certain number of units per acre. His projects are very reputable and he would be happy to show any of them to the Council.

Councilman Hudson made a motion to close the public hearing. Councilman Truman seconded the motion; which passed with the following roll call vote:

<i>Councilman Hudson</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Mayor Pro-Tem Turek</i>	<i>Aye</i>

F. Consideration to approve an Ordinance adopting General Plan Amendment G-13-07 designation from VLD to LD.

Councilman Hudson made a motion to approve an Ordinance adopting General Plan Amendment G-13-07 designation from VLD to LD. Mayor Pro-Tem Turek seconded the motion; which passed with the following role call vote:

<i>Councilman Hudson</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Nay</i>
<i>Mayor Pro-Tem Turek</i>	<i>Aye</i>

7. RESOLUTIONS

A. Consideration to approve a Resolution approving the Municipal Wastewater Planning Program for the State of Utah, Water Quality Board. Mike Shaw, Public Works Director

Public Works Director Mike Shaw reviewed the Resolution.

Councilman Hudson made a motion to approve a Resolution approving the Municipal Wastewater Planning Program for the State of Utah, Water Quality Board. Councilman Truman seconded the motion; which passed with the following role call vote:

<i>Councilman Hudson</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Mayor Pro-Tem Turek</i>	<i>Aye</i>

8. SPECIAL EVENT

A. Consideration to approve a Special Event Application to use the Highland Park and trails for the “Out of the Darkness Walk”. American Foundation for Suicide Prevention Chair Taryn Aiken

Community Center Director Wendi Bulkley reviewed the Special Event. The event is a repeat of the event from the previous years. It is a fundraising event, and we have received all of the necessary sign offs.

Councilman Hudson made a motion to approve a Special Event Application to use the Highland Park and trails for the “Out of the Darkness Walk”. Councilman Truman seconded the motion;

which passed with the following role call vote:

<i>Councilman Hudson</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Mayor Pro-Tem Turek</i>	<i>Aye</i>

B. Consideration to approve a Special Event Application for the “Dead or Alive 5K/10K” on October 12, 2013. Wendi Bulkley, Community Center Director

Community Center Director Wendi Bulkley reviewed the application for the Dead or Alive 5K/10K. The event which takes place on the trail, and no roads will be closed. All necessary sign-offs have been received, including the permission from SILTA for the use of the trail on their property.

Councilman Hudson made a motion to approve a Special Event Application for the “Dead or Alive 5K/10K” on October 12, 2013. Councilman Staheli seconded the motion; which passed with the following role call vote:

<i>Councilman Hudson</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Mayor Pro-Tem Turek</i>	<i>Aye</i>

9. AWARD OF BID & RFP

A. Consideration to award a bid for the construction of the Sewer Maintenance building. Mike Shaw, Public Works Director

Public Works Director Mike Shaw reviewed the bids with Council for the proposed Sewer Building. There were a total of 4 bids received for the project. The lowest bid was received from Watts Construction in the amount of \$324,595 which was under the engineers estimate.

Councilman Hudson made a motion to award the bid for the construction of the Sewer Maintenance Building to Watts Construction in the amount of \$324,595. Councilman Staheli seconded the motion; which passed with the following role call vote:

<i>Councilman Hudson</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Mayor Pro-Tem Turek</i>	<i>Aye</i>

10. AGREEMENT

A. Consideration to approve an Interlocal Cooperation Agreement between Washington City and Washington County School District regarding the November 5, 2013 Bond Election. Danice Bulloch, City Recorder

City Recorder Danice Bulloch reviewed the agreement between Washington City and Washington County School District with the Council. An agreement is necessary because the School District has added a bond to the ballot for our 2013 Municipal General Election. The agreement designates who will be responsible for noticing, payments, and other items which may occur with this particular bond election.

Councilman Hudson made a motion to approve an Interlocal Cooperation Agreement between Washington City and Washington County School District regarding the November 5, 2013 Bond Election. Councilman Truman seconded the motion; which passed with the following role call vote:

<i>Councilman Hudson</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Mayor Pro-Tem Turek</i>	<i>Aye</i>

11. REPORT OF OFFICERS FROM ASSIGNED COMMITTEE

Mayor Pro-Tem Turek stated he attended the MPO Meeting this week with regard to the Southern Parkway. We were hoping the next phase going into Long Valley would be moving forward quicker. However, it seems as though the grading package will be put on hold until possibly next spring due to endangered poppy's and desert tortoises being further south than anticipated.

12. CLOSED SESSION

- A. The character or professional competence of an individual;**
- B. To discuss pending or potential litigation; and/or**
- C. Discuss purchase, exchange or lease of property.**

Councilman Hudson made a motion to move into Closed Session to discuss the character or professional competence of an individual. Councilman Turek seconded the motion; which passed with the following role call vote:

<i>Councilman Hudson</i>	<i>Aye</i>
<i>Councilman Staheli</i>	<i>Aye</i>
<i>Councilman Truman</i>	<i>Aye</i>
<i>Mayor Pro-Tem Turek</i>	<i>Aye</i>

Council moved into Closed Session at 8:43 P.M.

Council left the Closed Session and returned to adjourn the Regular Meeting at 9:20 P.M.

13. ADJOURNMENT

Councilman Hudson made a motion to adjourn the Regular Meeting. Councilman Turek seconded the motion; which passed with the following role call vote:

Councilman Hudson *Aye*
Councilman Staheli *Aye*
Councilman Truman *Aye*
Mayor Pro-Tem Turek *Aye*

Meeting adjourned at 9:20 P.M.

Passed and approved this 23rd day of October 2013.



Attest by:

Danice B. Bulloch

Danice B. Bulloch, CMC
City Recorder

Washington City

Kenneth F. Neilson
Kenneth F. Neilson, Mayor